REMARKS

Applicants respectfully request that the above-identified application be reexamined.

Claims 1-10, and 21-30 are pending in this application. Claims 11-20, and 31-39 have been withdrawn from consideration. Claims 11-20 and 31-39 have been cancelled without prejudice to pursuing the subject matter covered by these claims in divisional patent applications. The Office Action mailed February 5, 2008, (hereinafter "Office Action"), rejected Claims 1, 5-9, 21, and 25-29 under 35 U.S.C. § 103(a) as being unpatentable in view of the teachings of U.S. Patent Application Publication No. 2004/0103190, issued to Kunihiko Mochizuki (hereinafter "Mochizuki"), taken in view of the teachings of U.S. Patent Application Publication No. 2004/0064568, issued to Akhil K. Arora (hereinafter "Arora"), taken further in view of the teachings of U.S. Patent No. 7,127,641, issued to Doug Anderson (hereinafter "Anderson"). Claims 2-4 and 22-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable in view of the teachings of Mochizuki, Arora, and Anderson as applied to Claims 1 and 21, taken in view of the teachings of U.S. Patent Application Publication No. 2003/0090531 to Wong et al. (hereinafter "Wong"). Claims 10 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable in view of the teachings of Mochizuki, Arora, and Anderson as applied to Claims 1 and 21 above, taken further in view of the teachings of U.S. Patent Application Publication No. 2004/0031030 to Kidder et al. (hereinafter "Kidder"). While applicants disagree with these rejections, in order to advance the prosecution of this application, independent Claims 1 and 21 have been amended.

Pursuant to 37 C.F.R. § 1.111 and for the reasons set forth below, applicants respectfully request reconsideration and allowance of the pending claims. Prior to discussing in detail why applicants believe that all the claims in this application are allowable, a brief description of the disclosed subject matter and a brief description of the teachings of the cited and applied

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references are provided. The following descriptions of the disclosed subject matter and the cited and applied references are not provided to define the scope or interpretation of any of the claims of this application. Instead, these descriptions are provided solely to assist the United States Patent and Trademark Office in recognizing the differences between the pending claims and the cited references, and should not be construed as limiting on the disclosed subject matter.

Summary of the Disclosed Subject Matter

A computer-implemented method, for collecting information about the programs installed on a computer and the services provided by the computer, and storing the information in log files in a standardized manner, is disclosed. In one exemplary embodiment, three types of information are collected. The first type is system information including, but not limited to, information about the computer operating system, hardware, and processor. The second type is information about the executables, i.e., executable programs used by the operating system, including, but not limited to, information about executables included in a defined set of folders stored on the computer and executables associated with services provided by the computer. The executables information includes attributes determined by the executables. Each executable includes a plurality of associated attributes. The attributes include at least one attribute, other than a version number, in the standardized language. The third type is application information about the application programs installed on the computer including linked executables. The application program information includes attributes determined by the application programs including the linked executables. The collected information is stored in a log file in the standardized language. Further, a signature for each executable is also stored in the log file in a standardized language. The signature is based on more than one of the plurality of attributes associated with the related executable. Each individual executable consists of multiple attributes.

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<u>Summary of Mochizuki U.S. Patent Application Publication No. 2004/0103190)</u>

Mochizuki is directed toward a system and method for recognizing configurations. See Mochizuki, Paragraph [0006]. Mochizuki purportedly carries out user support by recognizing a configuration of software and/or hardware of a user's computer system. However, Mochizuki fails to teach or suggest a system in which multiple attributes are utilized to form a signature.

<u>Summary of Arora (U.S. Patent Application Publication No. 2004/0064568)</u>

Arora is directed to a distributed index mechanism for indexing and searching for presence information in peer-to-peer networks. Arora, Abstract. A notification service may be implemented on top of the distributed index to notify peers of other peers joining a peer-to-peer session. Participating peers may query the distributed index to detect the presence of other participating peers registered in the distributed index. Like Mochizuki, Arora fails to teach or suggest a system in which multiple attributes are utilized to form a signature.

<u>Summary of Anderson (U.S. Patent No. 7,127,641)</u>

Anderson is directed to a system and method for using Extensible Markup Language (XML) as a scripting language for testing of software programs. (Anderson, Abstract.) Extensible Stylesheet Language (XSL) is used to define a new markup language for developing scripts that can be used by a test control processor to test other software programs. The test control processor may include an XML processor for processing the script. The test control processor submits instructions to software programs under test and extracts the behavior of the software program. (Anderson, Col. 1, line 65-Col. 2, line 11.) Like Mochizuki and Arora, Anderson fails to teach or suggest a system in which multiple attributes are utilized to form a signature.

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<u>Summary of Wong et al. (U.S. Published Application No. 2003/0090531)</u>

Wong et al. purportedly discloses a digital preservation system for accepting a digital data record as input. The digital data record is written in human-readable form onto a preservation quality medium. The digital preservation system preserves the data record in a human-readable form, along with an associated metadata record. Preserving the data record in a human-readable form allows the preserved data record to be readable independent of specific reading hardware. Hence, the preserved data record may be readable in the distant future. Like Mochizuki, Arora, and Anderson, Wong fails to teach or suggest a system in which multiple attributes are utilized to form a signature.

<u>Summary of Kidder et al. (U.S. Published Application No. 2004/0031030)</u>

Kidder et al. purportedly discloses a method and apparatus for facilitating hot upgrades of software components within a telecommunications network device through the use of signatures generated by a signature-generating program. After installation of a new software release within the network device, only those software components whose signatures do not match the signatures of corresponding and currently executing software components are upgraded. The signatures provide a way to accurately determine the upgrade status of each software component. Like Mochizuki, Arora, Anderson, and Wong, Kidder fails to teach or suggest a system in which multiple attributes are utilized to form a signature.

<u>35 U.S.C. § 103(a) Rejection of Claims 1, 5-9, 21, and 25-29</u>

<u>Independent Claim 1</u>

Claim 1 was rejected under 35 U.S.C. § 103(a) as unpatentable over Mochizuki, Arora, and Anderson. Claim 1, as amended, reads as follows

> 1.   A computer-implemented method of collecting and storing information about the programs installed on and the services provided by a computer for subsequent retrieval, comprising:

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(a)   extracting from the computer information including, but not limited to, information about the computer operating system, hardware, and processor and storing the system information in a log file in a standardized language;

(b)   extracting from the computer executables information including, but not limited to, information about executables included in a defined set of folders stored on the computer and executables associated with services provided by the computer and storing the executables information in the log file, the executables information including attributes determined by the executables, each executable including a plurality of associated attributes, the attributes including at least one attribute, other than a version number, in the standardized language;

(c)   extracting from the computer information regarding the application programs installed on the computer including linked executables and storing the application program information in the log file in a standardized language, the application program information including attributes determined by the application programs including the linked executables; and

(d)   deriving a signature for each of the executables, **the signature being based on more than one of the plurality of attributes associated with the related executable** and storing the resultant signatures in the log file in the standardized language.

(Emphasis added.)

Applicants submit that neither Mochizuki, Arora, nor Anderson, alone or combined, disclose every recitation of Claim 1. In particular, the cited references fail to disclose the recitation "deriving a signature for each of the executables, **the signature being based on more than one of the plurality of attributes associated with the related executable** and storing the resultant signatures in the log file in the standardized language." In this regard, applicants agree with the Office Action that Mochizuki does not explicitly teach deriving a signature for each of the executables. The Office Action asserts that these deficiencies are overcome by Arora. Applicants respectfully disagree.

Arora is directed toward a distributed index mechanism for indexing and searching for presence information in peer-to-peer networks. See Arora, Paragraph [0014]. As recited in the

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Office Action, Arora describes "*a single file attribute such as file name or identification is transformed to a hash function to efficiently access data.*" (Emphasis added.) Thus, contrary to the Office Action's assertion, Arora only describes using a single file attribute. Arora, Paragraph [0077]. In contrast, Claim 1 clearly recites "deriving a signature for each of the executables, **the signature being based on more than one of the plurality of attributes associated with the related executable** and storing the resultant signatures in the log file in the standardized language." In other words, each executable is associated with a number of attributes. In turn, more than one of these attributes are utilized to form a signature. This is clearly not disclosed or suggested by Arora. Thus, Arora does not overcome the deficiencies of Mochizuki. Anderson also fails to overcome the deficiencies of Mochizuki. As a result, even if the teachings of Arora, and Anderson were combinable with Mochizuki, which applicants deny, the resulting combination would not contain all of the limitations of Claim 1.

"When evaluating claims for obviousness under 35 U.S.C. § 103, *all* the limitations of the claims must be considered and given weight." See *Ex parte Grasselli*, 231 U.S.P.Q. 393 (Bd. App. 1983), *aff'd mem.* 738 F.2d 453 (Fed. Cir. 1984). (Emphasis added.) See also M.P.E.P. § 2143.01(II). In addition, it is well established that a *prima facie* case of obviousness is only shown if the cited references, alone or in combination, teach each and every element recited in the claim. *In re Bell*, 991 F.2d 781 (Fed. Cir. 1993). Mochizuki, Arora, and Anderson, alone or in combination, fail to disclose the elements of Claim 1. For the above reasons, applicants respectfully assert that Claim 1 is patentable over Mochizuki, Arora, and Anderson, taken alone or in combination and request withdrawal of the rejection of Claim 1 under 35 U.S.C. § 103(a) based on the teachings of these three references.

<u>Dependent Claims 5-9</u>

Claims 5-9 depend from Claim 1 and are submitted to be allowable for at least the same reasons presented above with respect to Claim 1. Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections with regard to Claims 5-9 and allowance of the claims.

<u>Independent Claim 21</u>

Independent Claim 21 recites:

> 21. A computer-implemented method of collecting and storing information about the applications installed on and the services provided by a computer for subsequent retrieval, comprising:
>
> enumerating executables associated with each application of a plurality of applications installed on the computer and each service of a plurality of services provided by the computer that has an associated executable;
>
> for each executable, extracting information about the executable, the information including a plurality of attributes regarding associated with the executable, the attributes including at least one attribute other than a version number, and storing the information in a log file in a standardized language; and
>
> **deriving a signature for each executable from a combined set of attributes**, the combined set of attributes including at least two of the attributes associated with the related executables and storing the signature in the log file in a standardized language.

(Emphasis added)

In a similar manner to Claim 1, Claim 21 recites a method for collecting and storing information about application installed on and the services provided by a computer for subsequent retrieval. As discussed above with regard to Claim 1 and as recited in the Office Action, Arora only discusses a single attribute. As a result, the cited references, Mochizuki, Arora, and Anderson, fail to disclose **"deriving a signature for each executable from a combined set of attributes**, the combined set of attributes including at least two of the attributes associated with the related executables and storing the signature in the log file in a standardized

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language" as recited in Claim 21. Applicants respectfully request that the 35 U.S.C. § 103(a) rejection of Claims 21 also be withdrawn and the claim be allowed

Dependent Claims 25-29

Claims 25-29 depend from Claim 21 and are submitted to be allowable for at least the same reasons presented above with respect to Claim 21. Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections with regard to Claims 25-29 and allowance of the claims.

35 U.S.C. § 103(a) Rejection of Claims 2-4 and 22-24

Claims 2-4 and Claims 22-24 depend from amended Claims 1 and 21, respectively, and, since Wong does not make up for the deficiencies of Mochizuki, Arora, and Anderson, are submitted to be allowable for at least the same reasons presented above with respect to Claims 1 and 21. Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections with regard to Claims 2-4 and 22-24 and allowance of the claims.

35 U.S.C. § 103(a) Rejection of Claims 10 and 30

Claims 10 and 30 depend from amended Claims 1 and 21, respectively, and, since Kidder does not make up for the deficiencies of Mochizuki, Arora, and Anderson, are submitted to be allowable for at least the reasons discussed above with respect to amended Claims 1 and 21. Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections with regard to Claims 10 and 30 and allowance of the claims.
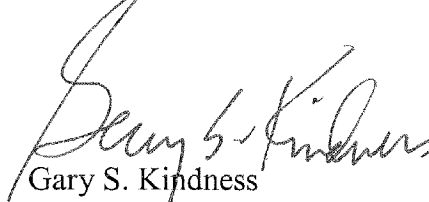
CONCLUSION

In view of the foregoing amendments and remarks, applicants respectfully submit that all of the remaining claims in this application are allowable. Consequently, early and favorable action allowing these claims and passing this application to issue is respectfully solicited. If the

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Examiner has any questions, the Examiner is invited to contact applicants' attorney at the number set forth below.

Respectfully submitted,

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